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6                           UNITED STATES DISTRICT COURT  
7                           EASTERN DISTRICT OF CALIFORNIA  
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9 G. DANIEL WALKER,   ) 1:01-cv-6311 OWW LJO P  
10   Plaintiff,   ) ORDER DISMISSING ACTION  
11   v.   )  
12 M. YARBAROUGH, et al.,   )  
13   Defendants.   )  
14   )  
15

16         The last order in this case was filed July 11, 2003, after a  
17 March 7, 2002, order denying Plaintiff's response/motion for  
18 reconsideration. The Court denied the motion for reconsideration  
19 finding it to be without merit. The Plaintiff was given thirty  
20 (30) days from the date of service of the March 7, 2002, order to  
21 submit a completed in forma pauperis application and a copy of  
22 the certified trust account for the preceding six month period.  
23 Plaintiff has never complied with the order. Thereafter, after  
24 repeated requests for extensions and delay the Magistrate Judge  
25 issued an order and addressed and denied the motion for stay or  
26 order requiring prison officials to provide access to legal  
27 material. This order was filed July 11, 2003.

28         Plaintiff has never filed the necessary filing fee in this

1 action, having been denied in forma pauperis status. Plaintiff  
2 never responded to the order to show cause why he should not be  
3 declared a vexatious litigant based on his thirteen (13) prior  
4 cases filed. By order of March 28, 2003, Plaintiff was declared  
5 a vexatious litigant by Judge Coyle.

6 For these failures to comply with court orders and failure  
7 to pay the filing fee in this case or to otherwise complete the  
8 in forma pauperis application process this case is DISMISSED with  
9 prejudice.

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11 SO ORDERED.

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13 DATED: March 8, 2006.

14 /s/ OLIVER W. WANGER  
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16 Oliver W. Wanger  
United States District Judge

17 walker v. yarbarough order  
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